

USDA Forest Service FY 2003 Annual FOIA Report

Section I. Basic Information,
Section II. How to Make a FOIA Request, and
Section III. Definitions of Terms, will be completed by the Office of Communications.

IV. Exemption 3 Statutes

A. List of Exemption 3 statutes relied on by agency during current fiscal year:

1. Brief description of type(s) of information withheld under each statute.
2. Statement of whether a court has upheld the use of each statute. If so cite example.

- Archaeological Resources Protection Act of 1979:
 - Location of archeological sites
 - Archaeological site maps
 - Cultural resource site information
- National Defense Authorization Act for Fiscal year 1996:
 - Technical proposals submitted by contractors
- National Historic Preservation Act of 1966 (16 U.S.C. 470w-3):
 - Location and nature of historic sites

V. Initial FOIA/PA Access Requests

A. Number of Initial Requests: **(include all access requests, whether first party or third party) (NOTE: The total of Lines 1 and 2, minus Line 3, should equal Line 4.)**

1. Number of requests pending at end of FY 02	<u>346</u>
2. Number of requests received during FY 03	<u>3,795</u>
3. Number of requests processed during FY 03	<u>3,763</u>
4. Number of requests pending at end of FY 03	<u>378</u>

B. Disposition of Initial Requests: **(NOTE: The total of Lines 1, 2, 3, and 4 should equal the number of requests processed shown in Line 3 of Part A.)**

1. Number of total grants	<u>2,364</u>
2. Number of partial grants	<u>649</u>
3. Number of denials	<u>349</u>

a. Number of times each FOIA exemption used: **(count each exemption once per request)**

- (1) Exemption 1 0
- (2) Exemption 2 6
- (3) Exemption 3 25
- (4) Exemption 4 60
- (5) Exemption 5 145
- (6) Exemption 6 273
- (7) Exemption 7(A) 33
- (8) Exemption 7(B) 1
- (9) Exemption 7(C) 100
- (10) Exemption 7(D) 0
- (11) Exemption 7(E) 0
- (12) Exemption 7(F) 6
- (13) Exemption 8 0
- (14) Exemption 9 0

4. Other reasons for nondisclosure: (total) 401
- a. No records 196
 - b. Referred elsewhere (See Note) 22
 - c. Request withdrawn 41
 - d. Fee-related reason 23
 - e. Records not reasonably described 17
 - f. Not a proper FOIA request for some reason 13
 - g. Not an agency record 8
 - h. Duplicate request 18
 - i. Other (specify) 63

(Note: Do not count requests referred within your agency in this category, it pertains only to requests that are referred outside of your agency)

- 1. Number of total grants 2,364
- 2. Number of partial grants 649
- 3. Number of denials 349
- 4. Other reasons for nondisclosure: (total) 401

Total: 3,763 = **Line 3 of Part A.**
[Number of requests processed in 2003.]

VI. APPEALS OF INITIAL DENIALS OF FOIA/PA REQUESTS (includes all access requests, whether first-party or third-party).

A. Number of Appeals:

1. Number of appeals received during FY 03 82
2. Number of appeals processed during FY 03 97

B. Disposition of Appeals:

1. Number completely upheld 42
2. Number partially reversed 27
3. Number completely reversed 28

a. Number of times each FOIA exemption used: (count each exemption once per appeal) (Total): 54

- (1) Exemption 1 0
- (2) Exemption 2 4
- (3) Exemption 3 1
- (4) Exemption 4 3
- (5) Exemption 5 15
- (6) Exemption 6 19
- (7) Exemption 7(A) 6
- (8) Exemption 7(B) 0
- (9) Exemption 7(C) 6
- (10) Exemption 7(D) 0
- (11) Exemption 7(E) 0
- (12) Exemption 7(F) 0
- (13) Exemption 8 0
- (14) Exemption 9 0

4. Other reasons for nondisclosure: (total) 40

- a. No records 16
- b. Referred elsewhere (See Note) 2
- c. Request withdrawn 3
- d. Fee-related reason 1
- e. Records not reasonably described 0
- f. Not a proper FOIA request for some reason 1
- g. Not an agency record 1
- h. Duplicate request 0
- Other (specify) Glomar 4
Adequacy of Search 12

VII. COMPLIANCE WITH TIME LIMITS/STATUS OF PENDING REQUESTS.

A. Median Processing Time For Requests: **(Example for calculation of median: Given 7 requests completed during the fiscal year, aged 10, 25, 35, 65, 75, 80, and 400 days from date of perfection to date of completion, the total number of requests completed during the fiscal year would be 7 and the median age of the completed requests would be 65 days.)**

1. Simple requests (if multiple tracks used)
 - a. Number of requests processed 2,860
 - b. Median number of days to process 15
2. Complex requests (specify for any and all tracks used)
 - a. Number of requests processed 891
 - b. Median number of days to process 19
3. Requests accorded expedited processing
 - a. Number of requests processed 12
 - b. Median number of days to process 5

(NOTE: The number of requests listed in the different tracks must equal the number of requests processed from section A, Line 3.)

B. Status of Pending Requests: **(Agencies using multiple tracks may provide numbers for each track as well as totals.)**

1. Number of requests pending at end of FY 03 378
2. Median number of days requests were pending at end of FY 03 19

VIII. COMPARISONS WITH PREVIOUS YEAR(S) (Optional)

E. Describe Agency Efforts To:

1. Improve timeliness:
 - Increased contact with Staff personnel responsible to provide records to FOIA analyst.
 - Increased contact with requesters to clarify or narrow the request.
2. Reduce backlog:
 - Greater efforts to contact requesters when a request is old.
 - Letters to staff directors regarding backlog within the particular staff.
 - More contact with responsible staff personnel, to encourage them to get responses handled.

3. Provide training:

- Many Regional Offices of the FS provided training at the District/Forest Levels.
- The Washington Office FOIA/PA team holds annual information sharing meetings with all of the Washington Office program staff FOIA Coordinators.
- National meeting of Regional FOIA Coordinators provided instructions and updates from DOI, OIP.

4. Add new categories of records:

- Nothing to report

IX. COSTS/FOIA STAFFING.

A. Staffing Levels:

1. Number of full-time FOIA personnel 19
2. Number of personnel with part-time or occasional FOIA duties (in work-years) 52
3. Total number of personnel (Work-years) 71

B. Total Costs: **(include staff and all resources) (Note: Use +20% for overhead.)**

1. FOIA processing (including appeals) \$2,713,114
2. Litigation-related activities (estimated) \$35,642
3. Total costs \$2,748,756
4. Comparison with previous year(s) (optional) _____

C. Statement of additional resources needed for FOIA compliance (optional).

X. FEES: (includes charges for search, review, document duplication, and any other direct costs permitted under agency regulations.)

- A. Total amount of fees collected for processing requests \$1,748,662
- B. Percentage of total costs 0.3

XI. FOIA REGULATIONS: **(including Fee Schedule):**